

# HOUSE . . . . . No. 1669

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By Mr. Pedone of Worcester, petition of Vincent A. Pedone relative to hydroelectric facilities. Telecommunications, Utilities and Energy.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Five.

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AN ACT RELATIVE TO RENEWABLE ENERGY.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1     SECTION 1. Section 11F of Chapter 25A of the General Laws,  
2     as appearing in the 2002 Official Edition, is hereby amended by  
3     adding after the word facility in line 20 the following:—  
4     or is an existing hydroelectric facility as defined in sub-section  
5     (b), herein.

1     SECTION 2. Section 11F of Chapter 25A of the General Laws,  
2     as appearing in the 2002 Official Edition, is hereby amended by in  
3     line 26 by striking clause (vii) and inserting in place thereof the  
4     following:—  
5     (vii) hydroelectric located in the Commonwealth and operating  
6     under the jurisdiction of the Federal Energy Regulatory Commis-  
7     sion;

1     SECTION 3. Section 11F of Chapter 25A of the General Laws,  
2     as appearing in the 2002 Official Edition, is hereby amended by in  
3     line 33 the words “and (vii) herein” and inserting in place thereof  
4     the following:—  
5     and any facility within clause (vii) except (a) units with a gen-  
6     erating capacity of 1800 kilowatts or less at facilities that are  
7     responsible for the ongoing maintenance and repair of federally  
8     approved fish migration facilities, or (b) such incremental

9 capacity that represents an increase of generation of 10% or more  
10 made after December 31, 1998, but in no case involves any new  
11 impoundment or diversion of water.